

DISTRICT COURT, DENVER COUNTY, COLORADO		DATE FILED April 2, 2026 1:51 PM CASE NUMBER: 2022CV30421 △ COURT USE ONLY △ Case Number: 2022CV30421 Division: 209 Courtroom:
Court Address: 1437 BANNOCK STREET, RM 256, DENVER, CO, 80202		
Plaintiff(s) RICHARD LILGEROSE et al.		
v.		
Defendant(s) JARED POLIS et al.		
Order:Defendants' Motion For Stay Pursuant To C.R.C.P. 62(b) with attach		

The motion/proposed order attached hereto: GRANTED IN PART.

The Motion to Stay is granted until fourteen days after the Court rules on the CRCP 59 motion. As the Court ordered at the last hearing, the Court holds a stay is appropriate because at this point there is a question as what exactly the Court is enjoining. The request to stay for an additional 49 days after the Court rules on the CRCP 59 motion is denied. The Court's issued its ruling 49 days ago and the Defendants are aware of the two likely scenarios they will face: the injunction will either be modified as requested or not. If the Defendants intend to appeal they can do so within the fourteen days in which they will have a stay or they can make a new request.

Issue Date: 4/2/2026

Sarah B. Wallace

SARAH BLOCK WALLACE
District Court Judge

DISTRICT COURT, DENVER COUNTY, COLORADO Denver City and County Building 1437 Bannock Street, Denver, CO 80202 PLAINTIFF: HAROLD MORTIS, on his own behalf and on behalf of those similarly situated v. DEFENDANTS: JARED POLIS, in his official capacity as the Governor of Colorado; MOSES “ANDRE” STANCIL, in his official capacity as the Executive Director of the Colorado Department of Corrections; and COLORADO DEPARTMENT OF CORRECTIONS, an agency of the State of Colorado	☐ COURT USE ONLY ☐
PHILIP J. WEISER, Attorney General JENNIFER H. HUNT, #29964* ABIGAIL SMITH, #39189* ANN STANTON, #50116* Senior Assistant Attorneys General Ralph L. Carr Colorado Judicial Center 1300 Broadway, 10th Floor Denver, CO 80203 Telephone: 720-508-6000 E-Mail: jennifer.hunt@coag.gov abigail.smith@coag.gov ann.stanton@coag.gov *Counsel of Record	Case Number: 2022CV030421 Ctrm/Div: 209
DEFENDANTS’ MOTION FOR STAY PURSUANT TO C.R.C.P. 62(b)	

Defendants Jared Polis, Moses “Andre” Stancil, and the Colorado Department of
Corrections, through the Colorado Attorney General, respectfully submit this motion for a

discretionary stay pending disposition of a motion for post-trial relief pursuant to C.R.C.P. 62(b).

In support thereof, Defendants state the following:

1. **Certificate of Conferral:** Pursuant to C.R.C.P. 121 § 1-15(8), counsel for the Defendants certify that the parties conferred in good faith before filing this motion. Counsel for Plaintiffs represented that they oppose this motion.

2. Plaintiff Harold Mortis, a prisoner incarcerated in the Colorado Department of Corrections (CDOC), brings this class action on behalf of all CDOC inmates challenging the constitutionality of state statutes and administrative regulations that impose work requirements on inmates incarcerated within the CDOC.

3. Trial was held in this matter from October 7 to 16, 2025. The Court issued its Findings of Fact and Conclusions of Law (Order) on February 13, 2026. The Court stayed its injunction for 28 days to allow filing of a motion to stay pending appeal.

4. Under C.A.R. 4(a)(1), the parties have 49 days from the entry of judgment to file a notice of appeal. If a motion for post-trial relief is filed under C.R.C.P. 59, the 49-day deadline to file a notice of appeal is terminated and runs from the date of disposition of the Rule 59 motion. *See* C.R.C.P. 59(k); C.A.R. 4(a)(3).

5. On March 13, 2026, Defendants filed a motion to amend the judgment pursuant to C.R.C.P. 59(a)(4), seeking modification of the injunctive relief in the Order.

6. This Court has discretion to enter a stay pending a motion for post-trial relief made pursuant to C.R.C.P. 59. *See* C.R.C.P. 62(b). Defendants respectfully request the Court exercise its discretion to stay the injunction until the expiration of the time to file a notice of

appeal following the disposition of Defendants' motion to amend the judgment pursuant to C.R.C.P. 59(a)(4).

7. Good cause exists for this stay for two reasons. First, Defendants are seeking clarification regarding a portion of the injunctive relief contained in the Order pursuant to C.R.C.P. 59(a)(4). The outcome of the Rule 59 motion will likely affect the parties' decisions on whether to file notices of appeal and will certainly impact the changes that CDOC will be required to make to its Administrative Regulations and related training.

8. Second, in the event no party files a notice of appeal, CDOC will need to update its Administrative Regulations, a process governed by a policy requiring significant internal review. *See* Exhibit A, Administrative Regulation 100-01(IV)(C)(9). It is only after the necessary changes are made to the relevant Administrative Regulations that CDOC can update its trainings and training materials and begin retraining existing staff to effectuate the injunctive relief ordered by this Court.

For the foregoing reasons, Defendants respectfully request that this Court stay the injunction until expiration of the time to file a notice of appeal following resolution of Defendants' motion to amend the judgment pursuant to C.R.C.P. 59(a)(4).

Respectfully submitted March 13, 2026.

PHILIP J. WEISER
Attorney General

/s/ Jennifer H. Hunt

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CERTIFICATE OF SERVICE

This is to certify that the within **DEFENDANTS' MOTION FOR STAY PURSUANT TO C.R.C.P. 62(b)** was served upon all parties herein electronically on March 13, 2026, addressed as follows:

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Attachment to Order - 2022CV30421